

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN GRIFFIN HEADRICK,
Petitioner,
v.
RICHARD MORGAN,
Respondent.

Case No. C05-5228RJB

ORDER ON PETITIONER'S
APPLICATION TO PROCEED IN
FORMA PAUPERIS

This matter comes before the court on review of the Report and Recommendation of the Magistrate Judge, who recommended that plaintiff's application to proceed *in forma pauperis* be denied because petitioner appeared to have the funds to pay the \$5.00 filing fee in this habeas corpus action. Dkt. 5. The court has reviewed the Report and Recommendation and the remainder of the file herein.

On April 25, 2005, petitioner paid the filing fee in this matter. Dkt. 8. The Report and Recommendation is moot. Petitioner's application to proceed *in forma pauperis* is **DENIED**. Petitioner's habeas corpus action shall proceed. The case, including all pending motions, is **REFERRED TO UNITED STATES MAGISTRATE JUDGE KAREN L. STROMBOM** in accord with the original order of reference.

The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any party appearing *pro se* at said party's last known address.

DATED this 2nd day of May, 2005.


Robert J. Bryan
U.S. District Judge